

Message Text

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ACTION OES-06

INFO OCT-01 EUR-12 ISO-00 SS-15 L-03 PM-04 ACDA-07 FEA-01
CIAE-00 INR-07 IO-13 NSAE-00 NSC-05 EB-08 NRC-05
DODE-00 ERDA-05 XMB-02 OMB-01 TRSE-00 AID-05 COME-00
SP-02 /102 W

-----141817Z 035346 /42

R 111840Z FEB 77
FM AMEMBASSY MADRID
TO SECSTATE WASHDC 8995

C O N F I D E N T I A L MADRID 1163

E.O. 11652: GDS
TAGS: TECH, ENRG, SP
SUBJECT: US-SPANISH NUCLEAR COOPERATION

REF: MADRID 660

1. SUMMARY: THE AMBASSADOR MET WITH FONMIN OFFICIALS

TODISCUSS US SAFEGUARDS ON REPROCESSING OF NON-US
ORIGIN NUCLEAR FUEL. BOTH US AND GOS POSTIONS WERE
REVIEWED. ALTHOUGH GOS AGREES WITH US ON THE NEED
FOR BETTER SAFEGUARDS, IT CANNOT TAKE ANY ACTION WHICH
WOULD ALTER THE BILATERAL NUCLEAR AGREEMENT WITHOUT
THIS BEING PART OF A FORMAL REVISION OF THAT ACCORD.
TO SOLVE THE INTERIM PROBLEM OF AVOIDING ADDITIONAL
DELAY IN US ACTION ON NUCLEAR EXPORT LICENSES BEFORE
THE NRC, THEGOS IS PREPARED TO PROVIDE A WRITTEN
GUARANTEE THAT NO NUCLEAR FUEL IRRADIATED IN SPAIN
WILL BE TRANSFERRED FOR REPROCESSING WITHOUT THE
AUTHORIZATION OF THE US UNTIL THE TWO PARTIES TO
THE BILATERAL AGREEMENT CAN MEET TO REVISE IT. END SUMMARY

2. THE AMBASSADOR MET WITH FONMIN DIRECTOR GENERAL OF INTERNAIONAL TECHNICAL COOPERATION BARROSO AND CONFIDENTIAL

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DIRECTO GENERAL OF NORTH AMERICAN AFFAIRS DURAN TO
DISCUSS EXTENSION OF US SAFEGUARDS TO INCLUDE CONTROL
OVER REPROCESSING OF NON-US ORIGIN FUEL IRRADIATED
IN AMERICAN SUPPLIED REACTORS. THE AMBASSADOR OPENED
WITH A BRIEF DESCRIPTION OF OUR CONCERN ABOUT PRO-
LIFERATION OF PLUTONIUM, A PRODUCT OF REPROCESSING.
HE WENT ON TO SAY THAT THE USG INTENDS TO REVIEW AND

REVISE ALL OF OUR BILATERAL NUCLEAR ACCORDS IN ORDER

TO IMPROVE SAFEGUARDS ON REPROCESSING AND ITS PRODUCTS. HOWEVER, THESE REVISIONS WILL TAKE SOME TIME, ESPECIALLY SINCE THE US HAS NOT YET FIXED ITS OWN POSITION ON THE MATTER. IN THE INTERIM, THERE ARE SEVERAL LICENSES BEFORE OUR NUCLEAR REGULATORY COMMISSION (NRC) FOR EXPORT OF REACTORS AND ENRICHED URANIUM TO SPAIN WHICH ARE DELAYED PENDING RESOLUTION OF THE INCREASED RE-PROCESSING SAFEGUARD QUESTION.

3. SR. BARROSO REPLIED BY SAYING SPAIN WAS EQUALLY CONCERNED ABOUT THE SPREAD OF PLUTONIUM AND NUCLEAR WEAPONS. HE RECONFIRMED SPAIN'S POLICY OF NOT MANUFACTURING NOR OBTAINING NUCLEAR WEAPONS. THUS, IN PRINCIPLE, SPAIN AGREES WITH THE US POSITION. HOWEVER, HE EMPHASIZED THAT ANY EXTENSION OF SAFEGUARDS CONTROLLING REPROCESSING OF US ORIGIN ENRICHED URANIUM TO NON-US FUEL IRRADIATED IN US SUPPLIED REACTORS POSES SEVERAL PROBLEMS OF VARYING IMPORTANCE FOR SPAIN. WHILE THE PROBLEMS HE ENUMERATED HAVE BEEN PREVIOUSLY REPORTED BY THE EMBASSY, TO BRIEFLY RECAPITULATE, THEY ARE: THE EXTENSION ALTERS THE BILATERAL AGREEMENT AND THUS MUST BE DONE IN A FORMAL REVISION OF THE AGREEMENT; ANY NEW SAFEGUARD WOULD ALTER THE TIRPARTITE SAFEGUARD AGREEMENT BETWEEN THE US, SPAIN AND THE INTERNATIONAL ATOMIC ENERGY AGENCY, WHICH WOULD HAVE TO BE REVISED; THE EXTENSION WOULD PREJUDICE SPAIN'S CHANCES FOR OBTAINING ENRICHED FUEL FROM OTHER COUNTRIES

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WITHOUT COMPENSATING GUARANTEED US FUEL SUPPLY; AND A PREVIOUSLY UNMENTIONED QUESTION AS TO WHAT CONSTITUTES A "US SUPPLIED REACTOR."

4. THE AMBASSADOR REPLIED THAT WE UNDERSTAND SPAIN'S CONCERNS AND ITS PREFERENCE FOR A FULL REVISION OF THE BILATERAL AGREEMENT WHICH WOULD ALSO DEAL WITH THESE CONSIDERATIONS. HOWEVER, THERE REMAINS THE IMMEDIATE PROBLEM OF THE PENDING LICENSES.

5. SR. BARROSO SAID THE GOS IS PREPARED TO COOPERATE BY GIVING THE US A WRITTEN ASSURANCE THAT SPAIN WILL NOT TRANSFER ANY FUEL WHATEVER THE ORIGIN IRRADIATED IN US SUPPLIED REACTORS FOR REPROCESSING WITHOUT US APPROVAL UNTIL A FORMAL REVISION OF THE BILATERAL AGREEMENT IS ACCOMPLISHED. THE ACTUAL WORDING OF SUCH WRITTEN ASSURANCE WOULD BE LEFT TO JOINT FORMULATION. HOWEVER, THE GOS WOULD BE UNWILLING TO PROVIDE AN OPEN-ENDED GUARANTEE AND WOULD INSIST ON A TIME LIMIT FOR

THE COMMENCEMENT OF THE RENEGOTIATION OF THE AGREEMENT. BARROSO MENTIONED A PERIOD OF SIX TO EIGHT MONTHS.

6. THE AMBASSADOR SAID HE COULD UNDERSTAND THE DIFFICULTY FOR THE GOS OF AN OPEN-ENDED COMMITMENT WITHOUT ANY REFERENCE TO RENEGOTIATION OF THE AGREEMENT AND SAID HE WOULD SUBMIT THIS SUGGESTION TO WASHINGTON FOR ITS CONSIDERATION.

7. COMMENT: EXCEPT FOR UNDERSTANDABLE SPANISH DESIRE FOR REFERENCE TO A TIME LIMIT FOR BEGINNING OF RENEGOTIATION OF THE BILATERAL, GOS OFFER IS WHAT WE HAVE ASKED FOR. WHILE IT DOES NOT IN FACT ENTAIL ANY NEW OBLIGATIONS FOR SPAIN SINCE ALL FUEL USED IN SPANISH REACTORS (EXCEPT THE FRENCH BUILT VANDELLOS REACTOR OVER WHICH IAEA CONTROLS OBTAIN) FOR AT
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LEAST THE NEXT YEAR WILL BE US ENRICHED URANIUM ALREADY COVERED BY SAFEGUARDS IN THE BILATERAL AGREEMENT, IT IS A BONA FIDE DEMONSTRATION OF SPAIN'S SHARED INTEREST IN RESOLVING THE KNOTTY PROBLEM OF SAFEGUARDS FOR REPROCESSING. EMBASSY BELIEVES THIS IS SUITABLE INTERIM SOLUTION AND WOULD APPRECIATE DEPARTMENT'S INSTRUCTIONS, INCLUDING ACCEPTABLE TIME FRAME.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NUCLEAR COOPERATION PROGRAMS
Control Number: n/a
Copy: SINGLE
Sent Date: 11-Feb-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977MADRID01163
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770052-0361
Format: TEL
From: MADRID
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770250/aaaabsqgq.tel
Line Count: 147
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 93f1f5c7-c288-dd11-92da-001cc4696bcc
Office: ACTION OES
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 MADRID 660
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 13-Oct-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3344132
Secure: OPEN
Status: NATIVE
Subject: US-SPANISH NUCLEAR COOPERATION
TAGS: TECH, ENRG, SP, US
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/93f1f5c7-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009